

**ORDER GRANTING REQUEST BY LUMINANT MINING COMPANY LLC  
TO TEMPORARILY CLOSE A PORTION OF HOPKINS COUNTY ROAD NO. 2309  
ALL OF WHICH IS SHOWN AND DESCRIBED ON  
EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

BE IT REMEMBERED, that the Commissioners Court of Hopkins County, Texas, met in Regular Session on the 27 day of March, 2017, after notice of the meeting had been posted in the form, manner and place required by law, with a quorum of its members present and participating in the meeting when, among other matters, the following came on to be considered, and action taken thereon, to-wit. The following were present:

- Robert Newsom, County Judge of Hopkins County, Texas
- Mickey Barker, Commissioner of Precinct No. 1, Hopkins County, Texas
- Mike Odell, Commissioner of Precinct No. 2, Hopkins County, Texas
- Wade Bartley, Commissioner of Precinct No. 3, Hopkins County, Texas
- Danny Evans, Commissioner of Precinct No. 4, Hopkins County, Texas

Pursuant to published agenda of said meeting, Commissioner Mike Odell

offered the following resolution and moved its adoption, which was seconded by Commissioner

Danny Evans to wit:

WHEREAS, LUMINANT MINING COMPANY LLC has ceased mining operations and closed its mine that is located in the vicinity of Hopkins County Road No. 2309 ("Thermo Mine"). The closing of this portion of Hopkins County Road No. 2309 will protect Luminant Mining Company's Thermo Mine and other property, and will support all activities related to reclamation; and

WHEREAS, the temporary closure will be for a period of approximately 3 years or until the Hopkins County Road 2309 relocation is completed; and

WHEREAS, LUMINANT MINING COMPANY LLC is willing to, at its sole cost and expense, temporarily close Hopkins County Road 2309, at the location as shown on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the portion of Hopkins County Road No. 2309 that is to be temporarily closed has no through-traffic and dead-ends at the Thermo Mine; and

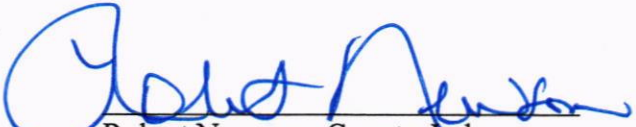
WHEREAS, LUMINANT MINING COMPANY LLC owns all of the land adjacent to the portion of Hopkins County Road No. 2309, that is to be temporarily closed; and

WHEREAS, the Hopkins County Commissioners Court has determined that there is no need for public notice, other than that which has been given in due and proper form and we also find that the interests of the public and affected landowners have been protected as it relates to the temporary closure of Hopkins County Road No.2309.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hopkins County, Texas, that they are in agreement with the proposed temporary closure of Hopkins County Road No. 2309, and have no objections to the temporary closure of Hopkins County Road No. 2309, as shown on Exhibit "A".

Upon vote, all voted "Aye" and none voted "No", and the County Judge declared the Resolution duly adopted.

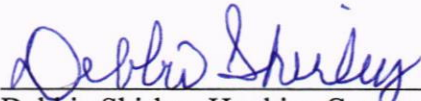
The above and foregoing is true and correct.

  
Robert Newsom, County Judge  
Hopkins County, Texas

I, Debbie Shirley, County Clerk of Hopkins County, Texas, and ex officio clerk of the Commissioners Court of Hopkins County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the Commissioners Court of Hopkins County, Texas, at a regular session of said Court, held and conducted on the 27th day of March, 2017, as the same appears in the minutes thereof, and that said Resolution has not been amended, revoked, or rescinded.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 27th day of March, 2017.



  
Debbie Shirley, Hopkins County Clerk